

## HOUSE BILL NO. 492

INTRODUCED BY G. BENNETT

A BILL FOR AN ACT ENTITLED: "AN ACT REVISING THE LAW RELATING TO VENUE IN LEGAL ACTIONS AGAINST STATE AGENCIES; AND AMENDING SECTION 25-2-126, MCA."

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:

**Section 1.** Section 25-2-126, MCA, is amended to read:

**"25-2-126. Against state and political subdivisions.** (1) ~~The~~ Except as provided in subsection (2), the proper place of trial for an action against the state is in the county in which the claim arose or in Lewis and Clark County. In an action brought by a resident of the state, the county of the plaintiff's residence is also a proper place of trial.

(2) The proper place of trial for an action that challenges the issuance or denial of a permit, license, authorization, or certificate by a state agency is in the county in which the permitted, licensed, authorized, or certificated activity would occur. If an activity would occur in more than one county, any county in which the activity would occur is a proper place of trial.

~~(2)~~(3) The proper place of trial for an action against a political subdivision is in the county in which the claim arose or in any county where the political subdivision is located."

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